

# Exhibit 8

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

FAIRFIELD SENTRY LIMITED, et al.,

Debtors in Foreign Proceedings.

Chapter 15 Case

Case No. 10-13164 (CGM)

Jointly Administered

FAIRFIELD SENTRY LIMITED (IN LIQUIDATION), et al.,

Plaintiffs,

– against –

THEODOOR GGC AMSTERDAM, et al.,

Defendants.

Adv. Pro. No. 10-3496  
(CGM)

Administratively  
Consolidated

FAIRFIELD SENTRY LIMITED (IN LIQUIDATION), et al.,

Plaintiffs,

– against –

ABN AMRO SCHWEIZ AG a/k/a ABN AMRO  
(SWITZERLAND) AG, et al.,

Defendants.

Adv. Pro. No. 10-3636  
(CGM)

**STIPULATION**

Consolidated Plaintiffs<sup>1</sup> and Arden International Capital Limited (“AIC”) (together, “the parties”), by and through undersigned counsel, state as follows:

**WHEREAS**, at a conference held on April 21, 2021, the Court ruled that any Defendant wishing to move to dismiss under Rule 12(b)(5) of the Federal Rules of Civil Procedure must preserve the right to make the motion on the record at the same conference and must move by May 21, 2021;

**WHEREAS**, at the April 21, 2021 conference, the Court permitted discovery on service issues, including issues pertaining to alternative service on counsel, as to any entity that moved to dismiss under Rule 12(b)(5);

**WHEREAS**, on May 21, 2021, AIC renewed its prior motion to dismiss the complaint (originally filed in January 2017) in adversary proceeding 10-03636 under Rule 12(b)(5) of the Federal Rules of Civil Procedure and Rule 7012(b) of the Federal Rules of Bankruptcy Procedure (Dkt. 3764);

**WHEREAS**, on May 27, 2021, Consolidated Plaintiffs served Requests for Production and a Notice of Rule 30(b)(6) Deposition on AIC;

**WHEREAS**, on June 28, 2021, AIC served its responses and objections to Consolidated Plaintiffs’ Requests for Production and produced documents responsive thereto;

**IT IS HEREBY STIPULATED AND AGREED THAT:**

1. AIC first learned that it was named as a defendant in the above-captioned adversary proceeding (10-3636) (the “Action”) in or about May 2011. AIC learned of this fact in connection

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<sup>1</sup> “Consolidated Plaintiffs” are Kenneth Krys and Greig Mitchell (or their predecessors) as Liquidators and Foreign Representatives of all three funds—Fairfield Sentry Limited (In Liquidation), Fairfield Sigma Limited (In Liquidation), and Fairfield Lambda Limited (In Liquidation).

with counsel's ongoing monitoring of these and related proceedings arising out of or relating to the liquidation of Bernard L. Madoff Investment Securities LLC (the "BLMIS Matters"). Thereafter, AIC learned about the Second Amended Complaint from Arden Asset Management LLC ("AAM"), AIC's former management company. AAM received this document by certified mail, which was sent first to 350 Park Avenue in New York, and thereafter, to 375 Park Avenue in New York. The latter was the then-current address of AAM.

2. M. William Munno at Seward & Kissel LLP apprised AIC about the BLMIS Matters. Michael Weitman, then of Seward & Kissel LLP, assisted Mr. Munno in his representation of AIC. In July 2019, Mr. Weitman joined Westerman Ball Ederer Miller Zucker & Sharfstein, LLP, where he continued his joint representation of AIC alongside Mr. Munno. Mr. Munno and Mr. Weitman have continuously represented AIC with respect to the Action through the date of this Stipulation.

3. Prior to entering an appearance in the Action in January 2017, Mr. Munno's and Mr. Weitman's representation of AIC consisted of monitoring docket activity and developments in the BLMIS Matters, including the Action, and reporting to and advising AIC on same. In January 2017, Mr. Munno and Mr. Weitman first appeared in the Action when AIC filed an individual motion to dismiss the complaint for lack of personal jurisdiction and insufficient service of process. AIC did not join in the consolidated motion to dismiss filed in January 2017 by other defendants in the Action, and expressly noted in the motion that it was not submitting or consenting to the jurisdiction of this Court by filing its separate motion to dismiss. Thereafter, Mr. Munno and Mr. Weitman continued to represent AIC in the Action by monitoring docket activity and developments, reporting to and advising AIC on same, and, beginning in 2020, joining various submissions to the Court.

Dated: New York, New York  
July 15, 2021

By: 

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